

Agenda Item No: 5

Report To: Selection & Constitutional Review Committee

Date: 14th October 2010

Report Title: The Duty to Respond to Petitions – A New Petition Scheme for Ashford Borough Council

Report Author: Head of Legal & Democratic Services



Summary: The Local Democracy, Economic Development and Construction Act 2009 requires the Council to respond to petitions and in particular to make a Petition Scheme under that Act. This report sets out the new duties and the amendments needed to be made to the Council's existing Petition Scheme in order to meet the requirements of the Act.

Key Decision: N/A as not an Executive decision

Affected Wards: All

Recommendations: **The Selection & Constitutional Review Committee is requested to make the following recommendations to Full Council. That:-**

- (i) the amended Petition Scheme as set out in Appendix A to this report be approved and adopted.**
- (ii) the Committee make recommendations on the threshold for signatures for the different types of petition given the advice in paragraphs 6-11 of the report, namely:- (a) For 'ordinary petitions'; (b) For 'petitions requiring debate by Council'; (c) For 'petitions to hold Officers to account'.**
- (iii) the Monitoring Officer be granted delegated authority to reject petitions which he considers to be vexatious, abusive or otherwise inappropriate.**
- (iv) the formal Petition Scheme be incorporated as part of the Council's Constitution and the other consequential changes to the Council's Constitution be made (Paragraph 20 of the report refers).**
- (v) the operation of the Petition Scheme be reviewed 18 months after implementation.**

Risk Assessment	No. There is a need for the Council to meet the requirements of the Act.
Equalities Impact Assessment	No implications arising directly from this report.
Other Material Implications:	None
Exemption Clauses:	N/A
Background Papers:	None
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The Duty to Respond to Petitions – A New Petition Scheme for Ashford Borough Council

Purpose of the Report

1. The Local Democracy, Economic Development and Construction Act 2009 (the Act) requires the Council to respond to petitions and in particular to make a Petition Scheme under that Act. This report sets out the new duties and the amendments needed to be made to the Council's existing Petition Scheme in order to meet the requirements of the Act.

Issue to be Decided

2. Whether to approve and adopt the amended Petition Scheme as set out at Appendix A to this report.

Background

3. The Commencement Order of the Act has determined that the majority of provisions of the Act, including the Petition Scheme, came into force on the 15th June 2010, with the remaining e-petition provisions coming into force on the 15th December 2010. It is necessary that the Scheme be approved by a meeting of the Full Council prior to the Scheme coming into force. Section 11 of the Act imposes a duty on Local Authorities to adopt a Petition Scheme setting out how it will acknowledge receipt of petitions and at the same time to advise the petition organiser how the petition will be dealt with. Unlike many Local Authorities Ashford Borough Council does already have an existing adopted Petition Scheme (attached at Appendix B to the report) but there is a need to make a number of amendments to the Scheme to meet the requirements of the Act.
4. Attached at Appendix A to the report is a draft scheme for Ashford Borough Council based on a model scheme produced by The Consultation Institute (TCI) but taking into account the local circumstances for Ashford.
5. The Act requires that the Scheme define three categories of petition being 'ordinary petitions', 'petitions requiring debate by Council', and 'petitions holding Officers to account'. Formal guidance recommends how minimum thresholds for signatures for each petition should be set. Full details are shown in Paragraphs 6-11 of this report.

Ordinary Petitions

6. For 'ordinary petitions' the Council is given wide discretion to set the threshold number of signatures as low or as high as it wishes and to determine how such petitions will be dealt with. The Act provides that a petition may be signed by anyone who lives, works or studies in the Council's area. Under the current scheme the Council's existing threshold is 15. Following research, the current or proposed thresholds for 'ordinary petitions' of neighbouring Authorities, where known, are set out below for information: -

Authority	Current or Proposed Threshold for 'Ordinary Petitions'
Canterbury	15
Dartford	15
Maidstone	100
Shepway	250
Thanet	25
Tonbridge & Malling	50
Tunbridge Wells	50

The Committee is asked to make a recommendation as to the number of signatures needed to trigger an 'ordinary petition'.

7. If the Petition Organiser does not wish the petition to be presented to a Meeting then it is suggested that the relevant Head of Service in consultation with the relevant Portfolio Holder determine the response. If the Petition Organiser wishes to present their petition to Full Council, Executive or a relevant Committee then they should be allowed to do so. In accordance with the Council's existing Scheme written notice to register an 'ordinary petition' must be given to the Member Services Department by 10am on the day of the meeting if the meeting starts at 7pm (if the Meeting starts before 7pm then notice must be received by 10am on the working day before the Meeting). It is suggested that the current practice of making one of the following decisions on an ordinary petition continues, namely: -

- (a) Note the petition and provide a written response.
- (b) Refer the petition to another Meeting, Officer or Authority for consideration.

The Petition Organiser will be kept updated about progress and notified of the date and time at which any additional Meeting is to be held which will consider the petition, and will be invited to speak again at that Meeting.

Petitions Requiring Debate at Council

8. 'Petitions requiring debate at Council' must be reported to Full Council for debate, and the Council can set a higher number of signatures than for 'ordinary petitions' as the threshold. The recommended thresholds are set out below: -

The TCI Model Scheme – 0.66% of the population – **759** (based on a population of 115,000) OR **1000**

Communities & Local Government (CLG) Model Scheme – 1% of the population – **1150** OR **1500**

The maximum figure allowed in the Act is 5% of the population – **5750**

There is no 'lower limit' recommended and the CLG Guidance states that any thresholds which Local Authorities set are expected to be "locally achievable" and where practical Local Authorities are expected to set thresholds around the 1% or 1500 mark. Following research, the current or proposed thresholds for 'petitions requiring debate at Council' of neighbouring Authorities, where known, are set out below for information: -

Authority	Current or Proposed Threshold for 'Petitions Requiring Debate at Council'
Canterbury	TBC (range is 1500 - 4000)
Dartford	3000
Dover	1600 (1.5% of population)
Medway	2535 (1% of population)
Sevenoaks	1000
Shepway	1000
Swale	1500 (reduced to 200 where local matter affecting no more than 2 Wards)
Thanet	1300
Tonbridge & Malling	1500
Tunbridge Wells	1000
KCC	1% of population (12,000) for countywide petitions and 1000 for single district or electoral division matters.

9. Guidance recommends that the debate should conclude with a decision being taken by Full Council. This could be a decision to take the action the petition requests, not to take the action requested for reasons given in the debate, or to commission further investigation into the matter, for example by a relevant Committee. The draft Scheme recommends that the Chairman of the Meeting will decide upon the amount of time to allow for the debate on the Petition, and will take account of the degree of public interest in the issue, the level of support given to the Petition and the number of Elected Members wishing to express their views on the subject.

The Committee is asked to make a recommendation as to the number of signatures needed to trigger a 'Petition requiring debate at Council'.

Petitions to Hold an Officer to Account

10. 'Petitions to hold an Officer to account' must name a Senior Officer and will trigger an open meeting of the Overview & Scrutiny Committee at which the Officer may be questioned by the Committee in relation to his or her actions on a particular matter and give evidence. The Guidance suggests that the definition of a "Senior Officer" should be "tier one and two management" – in Ashford's case the Chief Executive, Deputy Chief Executive and Heads of Service. The Council can set a lower threshold number of signatures for 'petitions to hold an Officer to account' or the same amount, although it must not be higher. The recommended thresholds are set out below: -

The TCI Model Scheme – 0.33% of the population – **380 OR 500**

CLG Model Scheme – 0.5% of the population – **575 OR 750**

The maximum figure allowed in the Act is 5% of the population – **5750**

There is no 'lower limit' recommended and the CLG Guidance states that any thresholds which Local Authorities set are expected to be "locally achievable" and where practical Local Authorities are expected to set thresholds around the 0.5% or 750 mark. Following research, the current or proposed thresholds

for 'petitions to hold an Officer to account' of neighbouring Authorities, where known, are set out below for information: -

Authority	Current or Proposed Threshold for 'Petitions Requiring Debate at Council'
Canterbury	TBC (range is 750 - 3000)
Dartford	1500
Dover	800 (0.75% of population)
Medway	1267 (0.5% of population)
Sevenoaks	500
Shepway	500
Swale	500 (reduced to 100 where local matter affecting no more than 2 Wards)
Thanet	650
Tonbridge & Malling	750
Tunbridge Wells	500

11. The final decision on which Officer should attend, and the questions to be asked of him or her, rest with the Overview & Scrutiny Committee. It is suggested that the Chief Executive, Deputy Chief Executive and Heads of Service should be able to be called to account through the Petition Scheme, as well as the relevant Portfolio Holder if considered appropriate. Officers below that level can attend at the discretion of the relevant Head of Service.

The Committee is asked to make a recommendation as to the number of signatures needed to trigger a 'Petition to hold an Officer to account'.

Petition Review

12. Where the petition organiser is not satisfied by the actions taken by the Council in response to a petition, the Scheme must give a right of appeal to the Overview & Scrutiny Committee.

E-Petitions

13. As noted above at present the Council's Petition Scheme must make provision for the consideration of electronic petitions. The duty to provide e-petitioning facilities is scheduled to come into effect on the 15th December 2010. The Council has recently written to the Minister recommending that the Government have a re-think about e-petitions as part of the response to the CLG 'Lifting the Barriers' consultation. Should e-petitioning go ahead there will be a need for a new e-petitioning administration system to be installed which will enable e-petitions to be hosted on the Council's website. This can be made ready prior to the introduction of the new duty.
14. The Council's Petition Scheme must ensure that the Council's e-petition facility allows citizens to create a petition that can be published on-line and made available to others for electronic signature. Government does not consider that mere acceptance of emailed petitions meets this requirement, therefore Councils are only required to respond to e-petitions made through their e-petition facility.

15. To come within the Scheme the petition must normally relate to a function of the Council. In the case of Borough Councils, a petition need not to relate to their functions, but can relate to an improvement in the economic, social or environmental wellbeing of their area to which any of their partners, such as County Councils, could contribute.
16. The Scheme does not apply to petitions received under other statutory provisions. Planning and Licensing matters are to be excluded from being the subject matters of petitions under the Scheme unless they relate to a systematic failure in service provision. Matters are also excluded under the Scheme where there is another appeal mechanism, for example, Council Tax banding.
17. The Council should delegate to an appropriate Officer the power to reject petitions which he or she considers to be vexatious, abusive or otherwise inappropriate. The test that the Officer should apply in such circumstances would be the same as that used for Freedom of Information requests, namely 'Is the request likely to cause distress, disruption or irritation without any proper or justified cause'. The types of petitions which Local Authorities may consider inappropriate include those relating to matters which are part of ongoing legal proceedings or those which target individual members of a community. In addition, it may be inappropriate for the Council to deal with certain petitions during periods when they are subject to restrictions immediately before elections or referendums. However, the decision on what constitutes an inappropriate petition is ultimately for the Local Authority to decide considering the circumstances of the individual case. In terms of the authenticity of a petition, consideration has been given to this matter and the proposal that petitions will only be accepted from "people who live, work or study in the Authority's area" would appear to cover this. A valid address is required to be given on submission of a petition and it is expected that any e-petitions facility introduced would be able to ask for valid postcodes.

Handling

18. The issues in this report expand on matters referred to in a report to the Policy Advisory Group on the 16th June 2010 by the Council's Head of Communications & Marketing reviewing the Council's Community Consultation and Involvement Arrangements. A report on this was also submitted to the Executive on the 8th July 2010.
19. The recommendations of this Committee need to be agreed by Full Council on the 21st October 2010. If agreed, the Petitions Scheme will come into effect after that date and be incorporated into the Council's Constitution.
20. The adoption of the Petition Scheme will lead to consequential amendments to the Constitution, namely: -
 - a. Part 3 Appendix 4 – The Terms of Reference of the Overview & Scrutiny Committee will need to be amended to reflect their role in considering petitions requiring Officers to be held to account and also in reviewing the response to petitions.

- b. Part 3 Appendix 5 – An addition needs to be made to the delegations to the Head of Legal & Democratic Services/Monitoring Officer to reflect his ability to reject petitions which he considers to be vexatious, abusive or otherwise inappropriate.
 - c. Part 4 Appendix 3 – Scheme of Public Participation – The Council's process for dealing with petitions will need to be amended.
21. As the Petition Scheme forms part of the Constitution any review will be first considered by the Selection & Constitutional Review Committee before making recommendations to Council. It is suggested that a review of the Scheme takes place in April 2012, 18 months after implementation.

Conclusion

22. **The Selection & Constitutional Review Committee is requested to make the following recommendations to Full Council. That:-**
- (i) **the amended Petition Scheme as set out in Appendix A to this report be approved and adopted.**
 - (ii) **the Committee make recommendations on the threshold for signatures for the different types of petition given the advice in paragraphs 6-11 of the report, namely:- (a) For 'ordinary petitions'; (b) For 'petitions requiring debate by Council'; (c) For 'petitions to hold Officers to account'.**
 - (iii) **the Monitoring Officer be granted delegated authority to reject petitions which he considers to be vexatious, abusive or otherwise inappropriate.**
 - (iv) **the formal Petition Scheme be incorporated as part of the Council's Constitution and the other consequential changes to the Council's Constitution be made (Paragraph 20 of the report refers).**
 - (v) **the operation of the Petition Scheme be reviewed 18 months after implementation.**

Portfolio Holder's Views

24. Both the Leader and the Deputy Leader support the recommendations above.

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Petition Scheme for Ashford Borough Council

A INTRODUCTION

- A1 This is the Petitions Scheme for Ashford Borough Council made under Section 11 (1) of the Local Democracy, Economic Development and Construction Act 2009. ('The Act')
- A2i The Scheme was approved at the full meeting of the Ashford Borough Council on 21st October 2010 and is available on the Authority's website:- (www.ashford.gov.uk)
- A3 The purpose of the Scheme is to establish a clear process for petitions submitted to the Council to be handled in accordance with the legislation (Sections 10 – 22 of the Act).

It covers,

- how people who live, work or study in the Authority's area can organise or sign a petition and secure a statutory response
- how specific responses can be triggered by achieving prescribed levels of signatory support
- who will do what and to what performance standards
- how petition organisers can seek a review of the Council's response

- A4 The officer responsible for this Petitions Scheme, and its operation is Keith Fearon, Member Services & Scrutiny Manager whose contact details are as follows:-

Mr K Fearon, Member Services & Scrutiny Manager, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL
Tel – 01233 330564
E-mail keith.fearon@ashford.gov.uk

- A5 The Council will promote the Scheme, both within the public sector organisations responsible for delivering local services and also beyond in the wider community.

B ABOUT PETITIONS in ASHFORD

- B1 The Council and its Partners recognise the need to help citizens communicate their needs and concerns about issues in the local area. Petitions have a long tradition, and can be useful in suggesting levels of support for various propositions, so the Council will encourage their use in appropriate circumstances, and will offer advice to interested persons as to how best to make use of this Scheme in order to achieve their aims.

Such advice may be forthcoming from different departments of the Council, but enquiries should, in the first instance be directed to Keith Fearon.

The Council will also publish *Guidelines for Petition Organisers* – this should include a list of ‘Council and Partner Functions’ to assist in avoiding unnecessary submissions

- B2 The Council places importance on the opportunity offered by petitions, to seek solutions and agreements to issues identified by Petition Organisers. If this can be accomplished before the period set aside for the petition, then the Council may seek agreement with the Petition Organiser to withdraw the relevant petition.
- B3i Petitions to this Authority should be about matters relating to one of its functions. However, the Kent County Council will consider Petitions relating to improvements *‘in the economic, social or environmental well-being of the area to which any of its partner authorities could contribute’* and its Scheme will specify which organisations can be regarded as Partner Authorities for these purposes.
- B3ii Potential Petition organisers who need advice as to whether it would be appropriate to address a Petition to the County Council will be offered guidance. At first instance, the relevant contact point should be the person specified in Paragraph A4

C Submission of Petitions

C1 Petitions may be submitted to the Authority in the following ways:-

- On paper
- In person
- Electronically, through the Council’s own ePetition facility (after 15th December 2010)

In every case, a Petitions Organiser must identify his or her self and provide such details as will assist the Council or other service providers to make contact to discuss the petition.

If the lead signatory wishes to relinquish their role then another signatory can, and must, be elected as lead signatory

- C2i The Council will formally acknowledge and respond to such Petitions as meet the criteria shown in Paragraph 3 of this Section.
- C2ii For ePetitions, the Council will issue a formal acknowledgement within **5 working days** of its initial submission. Note that during this period, the ePetitions Facility Administrator will act as a ‘moderator’ and establish that there are no problems that might prevent the system from hosting the Petition. If there are difficulties, the Administrator will contact the Petition Organiser and use their best endeavours to resolve matters so that the Petition can be open for signatures. Where such a dialogue occurs, the formal acknowledgement will be sent within **5 working days** of the resolution of the difficulty.

- C2iii For all other Petitions, the Council will issue a formal acknowledgement within **10 working days** of its receipt.
- C2iv In all cases, formal acknowledgements will indicate how the Council proposes to handle the issue, and where appropriate, to outline what it may be possible for the Authority to do in response
- C3 To be a valid Petition, and trigger the provisions of the statutory 'duty to respond', a Petition must:-
- Be initiated by Petition Organiser whose details have been supplied to the Council
 - Relates to the Council's functions or to wider issues applicable to the areas served by the County Council
 - Not be vexatious or abusive
 - Not related to matters excluded from the Scheme. These include any matter relating to individual planning or licensing decisions, for which other established processes exist.
 - Obtain a minimum of 50 valid signatories, including verifiable details that they live, work or study in the Council area.
 - Not be a duplicate or near-duplicate of a similar petition received or submitted under 12 months ago
- C4i To ensure the Council understands the level of local support for a Petition, it reserves the right to seek to verify each signature appended to a Petition. This can be significant when establishing whether a Petition has obtained the requisite number of signatures to trigger specific processes.
- C4ii In the case of ePetitions, the Council requires signatories to append their email addresses and their postcodes; failure to provide this information may lead to the signature not being counted.
- C4iii Unless otherwise agreed following discussions with the Petition Organiser, an ePetition will remain open for signatures for 90 days.
- C5 As each Petition is received or created online, the Council will log each one, and publish details on its website. For any Petition relating specifically to a Council Ward or Wards, the relevant Elected Member will be formally notified and asked for comments.

D Responding to Petitions

D1 Upon receipt or submission, the Council will assign the Petition to a Responding Officer, who will take responsibility for investigating the issue and advise on the action to be taken by the Authority.

The name of the Responding Officer will be notified to the Petitions Organiser at the time of the acknowledgement.

D2 Among the actions the Council may undertake are one or more of the following:-

- Taking the action requested in the Petition
- Considering the Petition at a Council Meeting
- Holding an Inquiry
- Commissioning relevant research
- Organising a public meeting
- Mounting a wider public consultation
- Meeting with the Petition Organiser or representatives of signatories
- Providing a written response outlining the Council's views on the subject
- Referring the issue to the Council's Overview & Scrutiny Committee **OR**
- Referring the issue to the relevant Committee
- Consulting statutory partners and local service providers
- Instigating discussions with the voluntary and community sectors
- Make representations to Commercial or other Interests

D3 Under normal circumstances, the Council will expect to provide the Petition organiser with a response detailing which of the actions specified in D2 or other initiatives it intends within 28 days of receipt of a paper Petition. In the case of ePetitions which will be expected to remain open for some time, the response will be within 28 days of the closing date for signatures, or a date requested by the Petition Organiser, whichever is the earlier

D4i If a Petition has, or acquires ? valid signatures, the issue will be debated at a full Council Meeting to which all elected members are invited

D4ii At such a meeting, the Petition Organiser or someone nominated on his or her behalf will have the right to speak about the petition, normally for up to 10 minutes; reasonable advance notice will be provided to ensure that any preparation can be undertaken in time

D4iii The Chairman of the Meeting will decide upon the amount of time to allow for the debate on the Petition, and will take account of the degree of public interest in the issue, the level of support given to the Petition and the number of elected members wishing to express their views on the subject.

D4iv The Council accepts that it will not normally be sufficient for such a meeting merely to 'take note' of the Petition and that there should be a decision taken

as to what other steps (including but not restricted to the actions specified in Paragraph D2) should also be taken as a response.

- D4v The Petitions Organiser will be formally notified of the decision taken at the Council meeting. This will take place within 5 working days.
- D5i Petitions may request that a senior Council Officer be required to appear and give evidence on an issue for which he or she is responsible. If such a Petition has, or acquires ? valid signatures, the Council will organise such a meeting, though it reserves the right to substitute a more appropriate person for the name referred to in the Petition.
- D5ii Those Officers who may be called to give evidence in this way as a result of a Petition consist of the Chief Executive, Deputy Chief Executive and Heads of Service.
- D5iii The Petition Organiser will be given reasonable notice of the meeting, and although able to attend, will not normally be able to participate in the meeting. The meeting Chairperson will normally be prepared to consider suggested lines of questioning from the Petition Organiser or signatories
- D5iv If in the opinion of the Council, an issue raised in a petition seeking to call a Senior Officer to account would be better considered through the attendance of relevant Senior Officers from a Partner Authority, the Council may, at its discretion request that such an individual be invited to give evidence to the Overview and Scrutiny Committee.
- D5v Following the meeting at which the Senior Officer appears and gives evidence, the Overview and Scrutiny Committee will prepare a Report and/or make recommendations. These will be sent to the Authority's Chief Executive and to the Leader of the Council, and a copy sent to the Petition Organiser. Unless the issue raises matters of confidentiality, the Council will normally publish this document on the Council's website.
- D5vi References to 'threshold' numbers of signatures in paragraphs C3, D4i and D5i confer a clear entitlement under the provisions of this Scheme. However, the Council accepts that there are situations where issues may be of considerable significance to a small number of stakeholders, but where the absolute number of signatures for a petition may be less appropriate a measure of relevant support.

In these circumstances the Scheme Administrator is authorised to substitute for the thresholds in the paragraphs referred to above, revised numbers that take account of the specifics of the case. When this occurs, the entitlements operate as for the rest of this Scheme

- D6i At the end of the process of considering the Petition, a relevant Chief Officer will formally write to the Petition Organiser with a formal response. This communication will normally outline the steps taken by the Council to consider

the issue and will refer to the involvement (where applicable) of the Authority's elected members.

In the case of an ePetition the response will be distributed by email to all of the petition signees.

A copy of the response to all petitions will be posted to the publicly accessible website and available to view for a period of 6 months from closing the petition. For ePetitions this will include the names of signees.

The letter will also identify the Responding Officer who handled the issue and highlight his or her involvement where appropriate.

This Formal Response will be despatched within 90 days of receipt or submission of a Petition, and a copy will be published both on the Council website and easily accessible from the relevant pages of the ePetitions facility

E Reviewing the Results

- E1 If a Petitions Organiser is not satisfied with the Council's response to the Petition, he or she may request a Review

Such a request should be made in writing within 28 days of the despatch of the Formal Response to the Petitions Organiser.

- E2 Upon receipt of such a Request the Scheme Administrator will identify a Reviewing Officer from among Senior Officers at the Council. This Officer will be given wide scope to reconsider whether the Authority should, in all the circumstances take additional steps to respond to the Petition. This will normally include reference to the Overview & Scrutiny Committee which will itself consider the adequacy of the initial response.

On some occasions, such as where the initial response took the form of the Overview & Scrutiny Committee's taking evidence from a Senior Officer, it may be inappropriate for the same Committee to review the issue. In consultation with the Scheme Administrator, the Reviewing Officer will ensure that a suitable alternative process is followed to engage elected members in reviewing the Petition.

- E3 At the end of the process of reviewing the Petition, the Council's Monitoring Officer will formally write to the Petition Organiser to inform him or her of the results of the Review. This communication will normally outline the process followed to establish whether the initial response had been adequate and outline any additional steps taken by the Council as part of the Review. It will also refer to the involvement (where applicable) of the Authority's elected members.

The letter will also identify the Reviewing Officer who handled the issue and highlight his or her involvement where appropriate.

This Review Response will be despatched within 28 days of receipt or the request for Review, and a copy will be published both on the Council website and easily accessible from the relevant pages of the ePetitions facility

Public Participation – Petitions



ASHFORD
BOROUGH COUNCIL

Petitions may be submitted and presented to meetings of Ashford Borough Council (prior to any resolution to exclude the public). This excludes meetings of the **Planning Committee** and **Overview and Scrutiny Committees** which have their own arrangements for consulting with the public.

Requirements

- a petition must be relevant to the meeting at which it is presented
- a petition can be on any issue on which the council has powers or duties, or which specifically affects the borough provided that it does not relate to a confidential matter
- a petition must be signed by at least 15 people
- written notice to register a petition must be given to the Member Services Dept by **10am on the day of the meeting if the meeting starts at 7pm** (if the meeting starts before 7pm then notice must be received by 10am on the working day before the meeting)

At the meeting

- decide beforehand who will be the spokesperson as **only one** person will be permitted to speak to the meeting on the subject of the petition (and that person must be a signatory to the petition)
- you must sit in the public area and the Chairman will invite you to speak at the appropriate point in the meeting
- a speech in support of the petition will be limited to **three minutes**
- it is unlikely that any debate will take place at the meeting to which the petition is presented – either a written response will be sent out or the petition will be referred to another meeting for further consideration. The spokesperson will be kept updated about progress and notified of the date and time at which the meeting is to be held which will consider the petition, and will be invited to speak at that meeting
- petitioners are not allowed to enter into the debate at the meeting to which the petition is presented
- in exceptional cases relating to matters on which the Council or Committee are required to act in a quasi judicial manner it will not be possible for the council to agree to accept a petition
- the ruling of the Mayor (or chairman of the committee) is final and binding

Dates of meetings – these can be found on the council's website: Committee diary (or contact Member Services)

If you don't know which meeting to present your petition to or need any other advice please contact the Member Services Dept:

NB: If you wish to question or comment on the conduct of individual officers or elected Councillors, or on procedural matters, this should be done via the council's complaints procedure.

Either

- call 01233 331111
- go to Complaints in the A-Z section of the council's website www.ashford.gov.uk
- or visit one of our Customer Contact Centres:
 - Civic Centre, Tannery Lane, Ashford
 - Gateway Centre, Park Mall, Ashford
 - Tenterden Gateway, 2 Manor Row, Tenterden

Public Participation – Petitions

Member Services
Ashford Borough Council
Civic Centre, Tannery Lane
Ashford
Kent TN23 1PL

Telephone Number: 01233 330564
Minicom service available: 01233 330744
Fax Number: 01233 330639
email: membersservices@ashford.gov.uk

Application to register a petition

Please fill in the following form and post or fax to Member Services.

NB. An application to register a petition may also be submitted via the council's website www.ashford.gov.uk Council Democracy – Public Participation

I would like to present a petition to the (please specify which meeting):

On (please specify date)

The subject of the petition is (please give brief details of what the petition is about)

I confirm that the petition is signed by 15 people with a bona fide interest

I confirm that I am willing to attend the relevant meeting to present the petition and be spokesperson

Signed

Name

Address

Day time contact tel no.

email address